

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2006 MAY -9 P 12:07

U.S. DISTRICT COURT
DISTRICT OF MASS.

ACTION NO. 04-12395-JLT

JOHN G. PEDICINI,

Plaintiff

-vs-

UNITED STATES OF AMERICA,
UNITED STATES DEPARTMENT OF
AGRICULTURE, ANN M. VENEMAN
SECRETARY, AND LINDA SPRINGER¹,
DIRECTOR, UNITED STATES
OFFICE OF PERSONNEL
MANAGEMENT,
Defendants

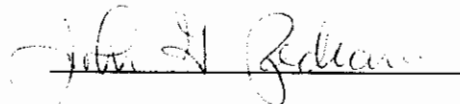
PLAINTIFF'S MOTION FOR LEAVE TO CORRECT A TYPOGRAPHICAL ERROR ON
FIRST PAGE OF PLAINTIFF'S RESPONSE TO DEFENDANTS' STATEMENT OF
FACTS

Plaintiff John G. Pedicini hereby moves for leave of the Court to correct a typographical error on the first page of Plaintiff's Response To Defendants' Statement of Facts. The title and part of the first sentence of the introductory paragraph were inadvertently carried forward from a previous document, via a merge function. As a result, the words "STATEMENT OF MATERIAL FACTS AS TO WHICH PLAINTIFF CONTENDS THAT THERE EXISTS A GENUINE ISSUE TO BE TRIED AND" were merged with the words "PLAINTIFF'S RESPONSE TO DEFENDANTS' STATEMENT OF FACTS". Plaintiff moves to

¹ Pursuant to Federal Rule of Civil Procedure 25 (d)(1), the new Director of the United States Office of Personnel Management, Linda Springer, is hereby substituted for Dan G. Blair as a defendant in this case.

strike the words, "STATEMENT OF MATERIAL FACTS AS TO WHICH PLAINTIFF CONTENDS THAT THERE EXISTS A GENUINE ISSUE TO BE TRIED AND". Similarly, Plaintiff moves to strike the following words from the first sentence in the introductory paragraph, " contends that there exists a genuine issue to be tried as to the disputed material facts set forth below". Plaintiff hereby states that the striking of these words consists of correcting a typographical error through a word processing merge function (i.e. find and replace). All of Plaintiff's responses to the Defendants' Statements of Fact remain unchanged, as previously filed with the Court.

Respectfully submitted,

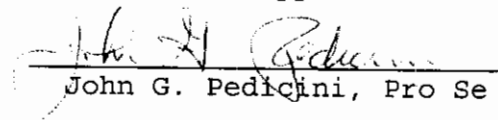


John G. Pedicini, Pro Se
10 Milano Drive
Saugus, MA 01906
781-233-5274

Dated: May 9, 2006

CERIFICATION UNDER L.R. 7.1

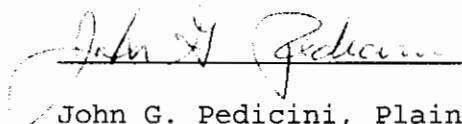
I certify that on May 8, 2006, I conferred, via email with Damian Wilmot, Defendants' counsel, about all changes cited in this motion and he stated that he would not assent to this motion. However, he also stated that he would not oppose it.



John G. Pedicini, Pro Se

CERTIFICATE OF SERVICE

I hereby certify that on May 9, 2006, I sent a copy of the foregoing document to the Defendants, via certified mail return receipt requested, to Damian Wilmot, Esq., Assistant U.S. Attorney, One Courthouse Way, Suite 9200, Boston, MA 02110.

A handwritten signature in cursive script, reading "John G. Pedicini", is written over a horizontal line.

John G. Pedicini, Plaintiff Pro Se